



July 25, 2016

Mr. Jeffrey E. Horwitz
Associated Press
1100 13th Street, NW
5th Floor
Washington, DC 20005

Dear Mr. Horwitz:

This is in response to your U.S. General Services Administration (GSA) Freedom of Information Act (FOIA) request (GSA-2015-001145), submitted on September 2, 2015 in which you request copies of the records identified and described below:

"Post-award correspondence with bidders on the Old Post Office lease contract won by the Trump Organization. This would include: 1. Protests or complaints filed by unsuccessful bidders since the contract was awarded in 2013. (This would include representatives/business partners of Hyatt, Marriott, Hilton and the Waldorf Astoria bid, for example) 2. Correspondence with the Trump Organization regarding construction lending, adjustments to the lease, expenditures on construction or other matters. This would also cover the period of the contract's award to the present. Please let me know if this request is in any way unclear or overly burdensome, and I will do my best to correct any defects."

On April 18, 2016 you further narrowed and clarified your request for:

- "1. Queries from GSA regarding construction, signage, labor, timelines, possible alterations to the existing plans.
2. Requests for contract alterations, notices of delays, expansions, etc.
3. Any records related to bank records or financial wherewithal to complete the project
4. Any documents related to Colony.

Finally, protests by bidders who did not win the project. At least one of those bidders (Metropolitan) announced it had filed a protest of the award. A reference to Metropolitan's protest, filed in April 2012 I believe, is in this Washington Post story."

In response to item 1: This is a renovation project costing over \$200 million and spanning over several years; it is carried out in accordance with Section 106 of the National Preservation Act (NHPA). Furthermore it is subject to review by the DC State Historic Preservation Officer ("SHPO"), the National Capital Planning Commission, Council of Fine Arts, Department of The Interior - National Park Service, and others. A significant amount of design and construction information can be found at the following public sites to inform the public about the redevelopment of the Old Post Office.

Please feel free to visit:

- www.oporedevelopment.com.
- www.ncpc.gov.

These links will provide information on National Environmental Policy Act (NEPA) and Section 106 of the National Historic Preservation Act (NHPA).

In addition, the Programmatic Agreement ("PA") can be found in our reading room. Also found in the reading room is labor, work agreement and language which provides strict guidance on the construction process for the Old Post Office project. To view all parts of the ground lease and any amendments for the Old Post Office, you can visit our website at:

- <http://www.gsa.gov/portal/content/305477>.

In reference to items 1, 2 and 4, please find enclosed the documents responsive to your request. In reference to item 3, GSA withholds documents pursuant the fourth exemption under FOIA, 5 U.S.C. § 552(b)(4) which permits an agency to withhold information that contains commercial or financial information that is privileged or confidential. This agency also withheld this information because it can be considered intra-agency or inter-agency correspondence that reflects the agency's pre-decisional, deliberative process, including those in which recommendations are made or opinions are expressed.

With this being said; under GSA's "Request for Proposals for Redevelopment of Old Post Office" under "VI. Submission Requirements", "Section 3 - Developer's Financial Capability and Capacity", Trump Old Post Office LLC, met or exceeded the standard.

Section 3: Developer's Financial Capacity and Capability. Information about the developer's completed projects must demonstrate that the developer's financial and time resources are not overcommitted, and that financial fundamentals are within acceptable industry ranges (e.g., loan to value, financial guarantees, etc.). The objective of this factor is to demonstrate the developer's financial capability to develop this project for which it seeks to qualify.

Lastly, Mr. Terry received only one protest; an Agency-Level Protest from BP-Metropolitan Partnership. Enclosed please find that protest.

This constitutes a partial denial under FOIA. You may appeal this decision to the GSA no later than one hundred and twenty (120) days from receipt of this decision by writing to the following address:

U.S. General Services Administration
FOIA Requester Service Center (H1F)
1800 F Street, NW, Room 7308
Washington, DC 20405

Your appeal should contain a brief statement of the reasons why you believe GSA should have responsive records. Enclose a copy of your initial request and this letter. Both the appeal letter and the envelope should be marked prominently, "Freedom of Information Act Appeal."

This completes our action on this request. Should you have any press-related questions, please contact Ms. Ashley Nash-Hahn, GSA Press Secretary, by email at media@gsa.gov.

Sincerely,

Travis Lewis

FOIA Program Manager

Enclosures